

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend claims 1, 19, 36, 37, 39 - 43 and 47.
2. Add new claims 51 – 62.
3. Respectfully traverse all prior art rejections.
4. Petition for a Three Month Extension of Time.

B. PATENTABILITY OF THE CLAIMS

Claims 1, 2, 4, 5, 7-15, 17-19, 22, 23, 25, 31-33, 35-37, 39-43, 47, 49 and 50 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,468,942 to Oosterveen et al in view of U.S. Patent 6,164,546 to Kumagai et al. Claims 16, 28 and 34 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,468,942 to Oosterveen et al in view of U.S. Patent 6,164,546 to Kumagai et al. Claims 21, 24 and 26 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,468,942 to Oosterveen et al in view of U.S. Patent 6,164,546 to Kumagai et al and further in view of U.S. Patent 5,397,882 to Van Solt. Claims 29, 30, 44-46 and 48 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5,468,942 to Oosterveen et al in view of U.S. Patent 6,164,546 to Kumagai et al and further in view of U.S. Patent 6,640,214 to Nambudiri et al. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claims 1, 19, 36 and 47 have been amended to require that the terminal cradles or compartment are housed in a same and single substantially flat portion of the housing for the terminals. The applied prior art does not disclose terminal cradles

or compartment housed in a same and single substantially flat portion of the housing for the terminals.

Indeed, Oosterveen discloses a dispensing device having a rack 2 with a plurality of columns 3 through 9, each column having two sides extending transversally to the plane of the paper on opposite sides of the column and each side being provided with a holder for a number of hand scanner. Oosterveen's rack is accessible from two sides (see column 2, lines 4-8 and 35). Clearly, Oosterveen discloses a dispensing device wherein the compartments (holder) for the terminal (hand scanner) are housed on opposite sides of the columns of the rack, that is the compartments of two adjacent column are faced to one other or in other words the compartments of a single column are opposite to one other. By contrast, Applicant's claims 1, 19, 36 and 47 requires that the compartments are housed in a same flat portion of the dispenser housing.

The arrangement of compartments in a same and single flat portion of the housing for the terminals makes Applicant's dispenser extremely compact and functional, and facilitates speedy identification and withdrawal of the terminals assigned to the identified customer. These advantages are not achievable with the dispenser of Oosterveen.

In view of the above, claims 1, 19, 36 and 47 as now amended are novel and non obvious over Oosterveen.

Kumagai discloses an optical reader capable of reading a bar code of an article in a mounted state and in a hand-held state. Kumagai discloses that the optical reader can be mounted in a specific holding member 2. However, Kumagai does not disclose any dispenser of the optical reader nor holding members housed in a same and single flat portion of a dispenser.

In view of the above, claims 1, 19, 36 and 47 as now amended are also novel and non obvious over Kumagai.

The Examiner did not explain a reason of rejection for independent claim 35. Applicant believes that the subject matter recited in pending claim 35 is novel and non obvious over the cited prior art, and therefore independent claim 35 is not amended. The applied prior art neither discloses nor fairly suggests a system for the sale of product comprising a portable terminal provided with an interface for the connection with a personal terminal belonging to the customer. The Examiner is kindly requested to explain clearly and in detail why independent claim 35 is rejected (if indeed independent claim 35 remains rejected) to indicate precisely wherein the cited prior art documents (e.g., by column and line, by reference numeral and drawing) allegedly disclose the claimed subject matter.

New claims 51, 53, 55, 57 and 59 are based on claims 1, 19, 35, 36 and 47, respectively, but differ from their respective predecessor in that the features relating to the upper aperture, lower discharge aperture, and means for guiding the terminal into the compartments have been deleted. Moreover, in these new independent claims it is now additionally recited that each compartment extends longitudinally along a direction inclined by a predetermined angle with respect to the flat portion of the housing for the terminals. This new recitation is neither disclosed nor suggested by the applied prior art documents. Indeed, Oosterveen discloses holders which extends longitudinally along a direction which is parallel to the surface of the rack while Kumagai does not disclose any dispenser having a plurality of compartments. The arrangement of the compartments so that they extend longitudinally along a direction inclined by a predetermined angle with respect to the flat portion of the housing for the terminals clearly allows to achieve the above discussed features of compactness and functionality and simplicity of operation.

New claims 51, 53, 55, 57 and 59 are therefore novel and non obvious over the cited prior art.

New claims 52, 54, 56, 58, 60 are dependent claims which recite the features relating to the upper aperture, lower discharge aperture, and means for guiding the terminal into the compartments. These new claims are supported by the original disclosure as well as copending claims. New claims 61 and 62 recite the combination of some of the features discussed above.

C. MISCELLANEOUS

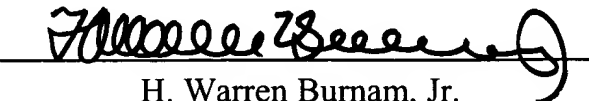
In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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